

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EMAD AL SWEIKI,

Plaintiff,

ORDER

-against-

23 Civ. 5706 (AEK)

CENTRAL PARK FOOD CORP., *et al.*,

Defendants.

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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

The Court has conducted a preliminary review of the parties’ motion for approval of the proposed settlement agreement and supporting documents, ECF No. 23, and identified one issue that must be addressed before the Court can complete its evaluation.

Counsel in FLSA cases may be awarded reasonable out-of-pocket expenses that are properly substantiated. *See, e.g., Cortes v. New Creators, Inc.*, No. 15-cv-5680 (PAE), 2016 WL 3455383, at *6 (S.D.N.Y. June 20, 2016) (“Court fees reflected on the Court’s docket are sufficiently substantiated, as are costs for which a claimant provides extrinsic proof, such as invoices or receipts. A sworn statement or declaration under penalty of perjury that certain amounts were expended on particular items is also sufficient.” (cleaned up)). Plaintiff’s counsel has requested payment of expenses totaling \$577—\$402 for the filing of the complaint, and \$175 for “Service.” ECF No. 23-3. Because the filing fee is reflected on the docket, *see* ECF No. 1, no additional documentation is necessary for the \$402 expense, but counsel must submit additional documentation—in the form of an invoice or a sworn declaration—to substantiate the \$175 in

costs requested for “Service,” *see* ECF No. 23-3. Counsel must submit this additional documentation via ECF by no later than December 27, 2024.

Dated: December 12, 2024
White Plains, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read "Andrew Krause", written over a horizontal line.

ANDREW E. KRAUSE
United States Magistrate Judge